Scott. II-48—19,083—11-9-21.

Revenue (1922) Department.

Miscellaneous SERIES.

G.O. No. 1411

DATED 20-1-22

[Despatch Abstract.]

Alignment - (South Kanara) Reservation along banks of Streams - Grant of

14-4-21

Rev 2278E

Bgs 16-12-21

Revenue **DEPARTMENT.**

UNDER SECY. TO GOVT. 19DEC1921 REVENUE DEPT.

CURRENT No.

REVENUE 2726

Received ..... 19 . *Registered* 16.12. 1921.

Subject.

Assignment - South Kanara District - Reservation along banks of streams - Collector given discretion.

3821C

Bgs 16-12-21

ENCLOSURES.

No.

Spare copies

Misc. No.2595.

Station Madras., *Dated the* 14th December 1921. 19

From

The Board of Revenue, ~~Land Revenue.~~ Revenue Settlement, etc. ~~Separate Revenue.~~

N.MacMichael Esquire, I.C.S.,
Commissioner of Land Revenue and Settlement.

- - - -

Resolution

Reference.

Read the following paper:--

Letter from R.H.Ellis Esquire, I.C.S., Collector of South Kanara,

Ref.C.No.4138--21--V.5,

Dated the 19th July 1921.

***

S.No.163/2 of Laila village of Uppinangady Taluk - of this district, measuring 28 cents in extent, which stands registered as 'poramboke river' has been encroached upon by - the adjoining wargdar and converted into a paddy field. It is situated on a higher level than the actual bed of the - stream, and the encroachment is reported to be 9 years old and unobjectionable. In ℔ G.O.No.157, Revenue, dated the 21st - January 1921, communicated with B.P.No.22 R.S., dated the 3rd

February 1921, it is laid down that as a general rule a margin of 50 links should be reserved, when assignments are made along banks of streams. If, according to the Government Order, a minimum margin of 50 links is cut off in this case for reservation, a sufficient area will not be left to justify a transfer of the plot from poramboke to assessed with a view to its assignment, as a major portion of the paddy field falls within 50 links.

para 2 of G.O. No 157 21-1-1924

If the rule has been introduced for the protection of tree-growth, it is quite unnecessary so far as this district is concerned, with its ample rainfall and plentiful tree-growth and so far as it prevents the claims of riparian owners to the bed of the stream, there have been no such cases in this district. Encroachments on margins or beds of rivers or streams or on river accretions are being made by the adjoining pattadars and they are being assigned to the agamedars after collecting proper site value if the encroachments are found to be un-objectionable. In future, such reclamations within 50 links on banks of streams cannot be assigned and the encroachments will have to be removed. But I do not think there is any necessity in this district to discourage such improvements especially along the lower reaches of the rivers or streams, if they are unobjectionable. I beg, therefore, to recommend that so far as this district is concerned, the Collector may be given discretion to assign unobjectionable encroachments on river beds or margins according to the present practice, in cases he thinks 50 links margin is not necessary.

--:o:--

Resolution.

The Collector's recommendation in the concluding sentence of his letter read above is approved, subject to the remark that the principles laid down in B.P.No.1990 Misc., dated 2nd November 1920, printed in B.P.No.22 dated 3rd February 1921, should be kept in view in assigning lands on the banks of streams.

page 2 of G.O. No 157 21-1-1924

/True Extract/

Acting Secretary.

To The Collector of South Kanara.

+ Copy to the Secretary to Government, Revenue Department.

Copy to theLand Revenue Department.

15-12-21

3

Revenue DEPARTMENT.

Sectt. II—10 (a)—7-2-16.

	Initials.	Date.
Received in Fair-copying Section.		
Copied		
Examined		
Signed		
Despatched		

Assignment - (South Kanara
- Reservation along banks of streams.
- Board's Proceedings giving discretion to Collector - recorded

READ AGAIN G.O. No. ....., dated 191

" " " " 157 , " 21-1-1921. (S)

READ ALSO:—

C. No. 22782/1 From the Board of Rev (R.S.) No. 2595, dated 14-12-1921.

" " ..... , " " ....., " ....., " ..... 191.

" " ..... , " " ....., " ....., " ..... 191.

ORDER.

No. ..... dated ..... 191.

this

It seems necessary to have some preambular clause in the rules and appoint private persons to guard against riparian rights being set up. The fact that no such rights have been set-up so far is no ground to neglect this necessary safeguard. The Board may submit the date that the 50 links rule should be enforced in each case.

RK
17/12/27

S

Recorded.

P.T.O.

Under the circumstances

4

Passed on to the Commissioner of
South Canara. It does not seem
at all desirable that the Collector
should be given final powers to
assign of to alienate reclamations
Would the Collector kindly say if
he wants South Canara needs such
special treatment.

C.S.

Rd
4/1/22

Rev

Rep(V)

Rev no 22785/22-1
21-12-22.

ASST. SECY. TO GOVT
22 DEC 1921
CHIEF SECT.

Regd 26/12
Pub 7541

UNDER SECY. TO GOVT
8-JAN 1922
REVENUE DEPT

I should say it was decidedly dangerous to treat the assignment of accretions as a matter of course, & still more if it encourages reclamation. With regard to the lower reaches of the rivers in S Kanara, the chief objection, in my opinion, is on the ground of deflection of currents. An accretion in one place almost invariably means an erosion somewhere else & any interference with natural forces which tends to accentuate changes should be discouraged

The particular instance on which the Coll[r] makes his reference is probably unobjectionable, being high up on the river, not in one of the lower reaches

20/12/21 Rev

REVENUE - E
017
Regd 3.1.22

3.1.22

Pub no 5541-18
29/12/21

5

Revenue Deptt

To Under Secy.

Submitted.

4.1.22

P.K.
3.1.22

Kindly see PS's reference on Page 1 + 2 ante. I have not by chance overlooked whether Collector's reference as to the Draft order.

If the Collector wants the particulars recorded he may be allowed to send it but he may be informed that after the publication of the rules from record - orders would be passed on the merits of all cases.

Cir 16.1.22
RH. 18.1.22

3.

9/1/22

I agree as at A.

17.1.22

18/1/22

To Hon. S.

A draft order is submitted.

P.K.
19.1.22

Sectt. II-10 (a)—26,596 -11-4-21.

	Date.	Initials.
When received for Fair-copying	21/1	
When copied	21/1	S.C.
When examined ..	21/1	VA
When signed		
When despatched ..	21/1	VD

6 Revenue DEPARTMENT.

Assignment - (South Kanara)
Reservation along banks of Streams - orders passed.

READ AGAIN G.O. No. 157 Rev dated 21-1- 1921. (S)

" " " " " " 192 .

READ ALSO:—

C. No. 2278E/21 From the Board of Rev (R.S.) No. 2595, dated 14-12-1921.

" " " " " " 192 .

" " " " " " 192 .

ORDER. No. 141, dated 20-1- 192

This

The Government Consider that the protection of banks of streams from encroachment is desirable in the interests of all parties and that the rule regarding reservation of a margin of not less than 50 links on either bank of a stream should be strictly followed.

2. The Collector of South Kanara may however be permitted to assign the 28 cents of land in S. No 163/2

2 7

of Laila village, Uppinangady Taluk if he thinks the occupation ~~encroachment~~ to be unobjectionable..

PK.
19.1.22.

for

To

The Board of Rev[illegible]
Revenue.
(Pto)

DESPATCHED
2/ Jan 1922